IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CHHATTISGARH)

WRIT PETITION NO. 2773 OF 2003

PETITIONERS : 1. M.L.Pandey, son of Shri H.P.Pandey, aged about 60 years, Retired District Marketing Officer, (Accounts Officer, C.G.State Co-operative Marketing Federation Ltd. resident of Arvindnagar, Indira Vihar Sarkanda, Bilaspur, (C.G.)

: 2. Ganesh Prasad Soni, son of late Shri Chheddu Lal Soni, aged about 60 years, resident of Mahoba Bazar, Hirapur Road, Sarvoday Colony, Tatibandh, Raipur, (C.G.)

: 3. Sukh Sagar Singh Thakur, son of late Kundal Singh Thakur, Retired Manager, Kisan Rice Mill, Bandha Bazar, Rajnandgaon, presently residing at Village Kewtara, P.O. Saja, District-Durg, (C.G.)

P. R. No. 2617103
Presented by shri S. Ramteke
dated 02.09.03

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V E R S U S

RESPONDENTS : 1. Chhattisgarh State Co-operative Marketing Federation Ltd. Through its Seceretary, 880, Civil Lines, Head Quarter Raipur, (C.G.)

: 2. Managing Director, Chhattisgarh State Co-operative Marketing Federation Ltd. Raipur.

: 3. Accountant General, Madhya Pradesh Gwalior, (M.P.)

शपथ आयुक्त
एस. के. शुक्ला
बिलासपुर (छ.ग.)
3/10/03
बिलासपुर तहसील कोर्ट

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA.

The petitioners abovenamed most respectfully beg to

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XI-HC-22

(78)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 273/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	13.02.2004 Shri Prashant Mishra, counsel for the petitioners. Shri Shailendra Shukla, Adv. appears on behalf of Dr. N.K. Shukla, Sr. Counsel for respondent No.1 & 2. The petitioner has preferred this Writ Petition under Article 226/227 of the Constitution of India challenging the legality, validity and propriety of the orders (Annexure P-1 to P-3) whereby the respondents have ordered for recovery of amounts running into Lacs of rupees from each of the petitioner because of audit objection of the Accountant General, Gwalior. It has been mentioned that the recovery is being made on the ground that during the posting of the petitioners in the particular Kisan Rice Mill in the year 1995-96 & 96-97 the shortage in quantity of paddy was more than the permissible limit. Learned counsel for the petitioner submits that the shortage was within the permissible limits and no opportunity of hearing was given to the petitioners in order to explain their position and in the audit conducted by the department no shortage was found. However, all of a sudden the shortage was deducted while conducting audit by the office of the Accountant General, Gwalior. In the circumstances the learned counsel for the petitioners submits that the petitioners may be allowed to make a detailed representation to respondent No.1 and in turn	

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

79

आदेश पत्रक

मामला क्रमांक W.P.No.2773/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक स्टाफ	आदेश हस्ताक्षर सहित (2)	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

respondent No.1 may be directed to decide the representation after considering the points raised by the petitioners.

Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioners are allowed to make a detailed representation raising all their grievances within 15 days from today to respondent No.1 and in turn respondent No.1 after considering all the points raised by the petitioners shall decide the representation within a period of 60 days from the date of receipt of the same in an objective manner in accordance with the law.

With the above directions the petition stands disposed of.

In view of this order, M.W.P.No.2539/2003 & I.A. No.8354/2003 for urgent hearing stand disposed of.

Certified copy as per rules.

Sd/-
L.C.BHADOO
Judge

Roshani
SG

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13/11/13 13/11/13 25/11/13 20.03.16

[पीछे देखिये